

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

HAROLD GENE DYER, JR.,

Plaintiff,

v.

Civil Action No. 2:20-cv-00402

ANDREW SAUL, Commissioner
of Social Security,¹

Defendant.

ORDER

The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Omar J. Aboulhosn, entered on January 20, 2021 (ECF No. 15); and the magistrate judge having recommended that the court deny the plaintiff's request for judgment on the pleadings, grant the defendant's request to affirm the decision of the Commissioner, and affirm the final decision of the Commissioner; and no objection having been filed to the Proposed Findings and Recommendation, it is ORDERED that:

¹ The court recognizes there may be some dispute whether Kilolo Kijakazi has succeeded Andrew Saul as the acting Commissioner of Social Security. The court has no occasion to address this dispute. Insofar as Ms. Kijakazi has succeeded Mr. Saul, she is automatically substituted. See Fed. R. Civ. P. 25(d).

1. The findings made in the Proposed Findings and Recommendation (ECF No. 15) of the magistrate judge be, and they hereby are, ADOPTED by the court and INCORPORATED herein;

2. The plaintiff's request for judgment on the pleadings be, and it hereby is, DENIED;

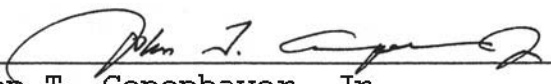
3. The Commissioner's request to affirm the decision of the Commissioner be, and it hereby is, GRANTED;

4. The final decision of the Commissioner be, and it hereby is, AFFIRMED; and

5. This action be, and it hereby is, dismissed and removed from the docket of the court.

The Clerk is directed to forward copies of this written opinion and order to all counsel of record and United States Magistrate Judge Omar J. Aboulhosn.

ENTER: August 13, 2021



John T. Copenhagen, Jr.
Senior United States District Judge